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PATEL, NIMESH				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/561,114

**Applicant(s)**

AMIENS, CHRISTIAN

**Examiner**

NIMESH PATEL

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :Apr. 24, 2006 and Dec. 17, 2007.

***Detailed Action***

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claim 23** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim 23 claims the non-statutory subject matter of a set of (API) functions. Data structures not claimed as embodied in a computer readable medium are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1754 (claim to a data structure per se held nonstatutory). Therefore, since the claimed functions could be reasonably interpreted as being software per se, and are not tangibly embodied in a physical medium and encoded on a computer readable medium then the Applicants has not complied with 35 U.S.C 101.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

**Claims 21 and 22** are rejected under 35 U.S.C. 112, first paragraph based on

being unduly broad and as failing to comply with the enablement requirement discussed in MPEP 2164.08(a) and 2181. These claims constitute single means claims. See MPEP 2164.08(a).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Consider claims 1 and 20, the phrase " API – type source functions " renders the claims indefinite because the addition of the word "type" to an otherwise definite expression (e.g., API source functions) extends the scope of the expression so as to render it indefinite (Ex parte Copenhaver, 109 USPQ 118 (Bd. App. 1955)). See MPEP § 2173.05(b).

Claims 2 – 19 are also rejected due to their dependency on claim 1.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 8, and 11 – 23 are rejected under 35 U.S.C. 102(b) as being unpatentable over Andy XP – 002283767 March 2002.

**Regarding claim 1,** Andy discloses,

system for remote control of apparatuses (telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), enabling the interconnection between at least one broker (broker, page 5, line 3) and at least one remote apparatus (client, page 5, line 5) according to the MQIsdp protocol (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8),

wherein the system associates, with at least one of said remote apparatuses, radiocommunication means (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4) capable of internally processing a communication protocol implementing API - type source functions available in a software platform - Open AT enabling at least one application to be embedded (the application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page 10, lines 1 - 4), and

wherein said radiocommunication means are provided with a set of specific - API functions enabling data to be exchanged with at least one server implementing said MQIsdp protocol (the MQIsdp protocol specification is deliberately nonprescriptive

regarding the application programming interface – API presented to applications to the client device – page 9, lines 9 - 24), so as to enable an interconnection between said at least one broker and said at least one remote via said radiocommunication means, with the latter also managing at least one application between said at least one broker and said at least one remote apparatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 2, Andy discloses,**

system for remote control of apparatuses according to claim 1, wherein said radiocommunication means include a radiocommunication module, grouping together on a single substrate all of the radiofrequency and baseband data processing means, as well as means for managing said - API functions and said at least one application (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 8, lines 31 – 32, page 12, lines 2 – 11, page 12, lines 16 - 20).

**Regarding claim 3, Andy discloses,**

system for remote control of apparatuses according claim 1, wherein said radiocommunication means integrate said MQIsdp protocol in the form of a library,

defining said set of specific - API functions (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Line Group – page 5, lines 12 – 17, page 8, lines 31 – 32, page 12, lines, 2 – 11, page 12, lines 16 – 20).

**Regarding claim 8,** Andy discloses,

system for remote control of apparatuses according to claim 1, wherein said set of specific API functions includes functions enabling (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8):

- the connection to one of said at least one broker (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8);
- the sending of messages (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Line Group – page 5, lines 12 – 17, page 12, lines, 2 – 4. The protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27);



- the receiving of messages (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Line Group – page 5, lines 12 – 17, page 12, lines, 2 – 4. The protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27. Also, compute values from input message content – page 8, line 26);
- configuration of at least one parameter (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 11, Andy discloses,**

system for remote control of apparatuses according to claim 1, wherein said set of specific (API) functions includes an initialisation function - mqisdp\_init restoring default parameters, which must be called at least once before the use of other - API functions (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 12, Andy discloses,**

system for remote control of apparatuses according to claim I, wherein said set of specific - API functions includes a function - mqisdp\_resume called when an IP connection has been established (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 13,** Andy discloses,

system for remote control of apparatuses according to claim I, wherein the system includes a function of establishing a connection with one of said brokers - mqisdp\_connect, making it possible to define parameters of said connection, and a function for disconnecting - mqisdp\_disconnect said connection (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 14,** Andy discloses,

system for remote control of apparatuses according to claim 13, wherein said function of establishing a connection makes it possible to select a transmission mode from at least two - GSM and GPRS (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker

using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8.  
Typical application scenario – farmers walk their fields with a Global System for Mobile Communications - GSM connected Palm Pilot - page 8, left column).

**Regarding claim 15,** Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function - mqisdp\_publish for sending a message to one of said brokers (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 16,** Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes a function for subscribing to one of said brokers - mqisdp\_subscribe, and a function for unsubscribing - mqisdp\_unsubscribe to said broker (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 17,** Andy discloses,

system for remote control of apparatuses according to claim 1, wherein the system includes at least one function for requesting information on at least one aspect of a communication in progress (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 18,** Andy discloses,

system for remote control of apparatuses according to claim 17, wherein the system includes at least one of the functions belonging to the group including:

- a function for inquiring about the status of a connection - mqisdp\_getConStatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27, page 11, lines 5 - 17);

- a function for inquiring about the status of a given message - mqisdp\_getMsgStatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse.

Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27);

- a function for inquiring about the current size of a queue - mqisdp\_getQueueSize (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse.

Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27); and

- a function for inquiring about the space available in a queue - mqisdp\_getAvailableSize (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse.

Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 19,** Andy discloses,

system for remote control of apparatuses according to claim I, wherein the system includes a function for defining the size of a queue - mqisdp\_setQueueSize (WebSphere MQ offers once-and-once-only assured delivery of messages, using asynchronous queue-based model – page 7, lines 26 – 28. The protocol has a very basic publish/subscribe verb

set: connect, disconnect, publish, subscribe, unsubscribe, and an application level keepalive: pingrequest and pingresponse. Message acknowledgement verbs are used to manage the assured message delivery – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32

**Regarding claim 20,** Andy discloses,

method for remote control of apparatuses (telemetry integration applications – page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), enabling the interconnection between at least one broker (broker, page 5, line 3) and at least one remote apparatus (client, page 5, line 5) according to the MQIsdp protocol (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8),

wherein the method associates, with at least one of said remote apparatuses, radiocommunication means (Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4) capable of internally processing a communication protocol implementing API - type source functions available in a software platform - Open AT enabling at least one application to be embedded (the application programming interface - API presented to applications on the client device - page 9, lines 15 – 17, page

10, lines 1 - 4),

and wherein the method implements, in said radiocommunication means, a set of specific API functions enabling data to be exchanged with at least one broker implementing said MQIsdp protocol (the MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 - 24), so as to enable an interconnection between said at least one broker and said at least one remote apparatus via said radiocommunication means, with the latter also managing at least one application between said at least one broker and said remote apparatus (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27).

**Regarding claim 21,** Andy discloses,

a radiocommunication device comprising radiocommunication means implemented in a system for remote control of apparatuses according to claim 1 (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8. Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Linc Group – page 5, lines 12 – 17, page 12, lines, 2 - 4).

**Regarding claim 22,** Andy discloses,

a radiocommunication module comprising radiocommunication means implemented in a system for remote control of apparatuses according to claim1 (the MQ SCADA protocol node is included in WebSphere MQ Integrator, version 2.02 and higher. This allows remote device to connect to the broker using the MQIsdp protocol – page 2, lines 16 – 24, page 5, lines 1 – 7, page 9, lines 1 – 8. Arcom director units communicates with the devices using 20-mile line-of-sight, spread-spectrum wireless links from Data-Line Group – page 5, lines 12 – 17, page 12, lines, 2 - 4).

**Regarding claim 23,** Andy discloses,

a set of – API functions implemented in a system for remote control of apparatuses, wherein the set enables data to be exchanged with at least one broker implementing ~ an MQIsdp protocol (the protocol has a very basic publish/subscribe verb set: connect, disconnect, publish, subscribe, unsubscribe – page 3, lines 1 – 8, page 3, 22 – 24, page 5, lines 1 – 7, page 8, lines 14 – 32, page 9, lines 24 – 27. The MQIsdp protocol specification is deliberately nonprescriptive regarding the application programming interface – API presented to applications to the client device - page 9, lines 9 - 24).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 4 – 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andy XP – 002283767 March 2002, and in view of Petite US Patent: US 7,103,511 B2, Sep. 5, 2006.

**Regarding claim 4**, Andy briefly discloses, system for remote control of apparatuses according to claim I, wherein at least in a first mode, said radiocommunication means manage, with said data being transferred directly from a remote apparatus to a server, or the reverse (when a publisher sends a message, the topic specifies where it belongs in the information hierarchy. An application can send a message to another application and then carry on with other work, even if the other application is not immediately process the message – page 6, lines 1 – 2, page 6, lines 13 – 18, page 7, lines 28 – 30, page 8, lines 20 - 22, page 10, lines 13 - 16).

Petite teaches in detail, method for monitoring and controlling remote devices. The

computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

**Regarding claim 5**, Andy briefly teaches, system for remote control of apparatuses according to claim 1, at least in a second mode, said radiocommunication means manage the signaling of a data exchange and the transfer of said data, with the latter being temporarily stored in at least one buffer storage (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from

one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

**Regarding claim 6,** Andy discloses,

system for remote control of apparatuses according to claim 5, wherein the size of said at least one buffer storage is parameterable (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

**Regarding claim 7,** Andy briefly discloses, system for remote control of apparatuses according to claim 6, wherein the system operates in said first mode when the size of said at least one buffer storage is 0, and in said second mode if not it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for

monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15). The memory 406 may also include a plurality code segments that are executed by the CPU 404, which may in large part control operation of the site controller 150 - Fig. 4, column 11, lines 41 - 56).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

**Regarding claim 9,** Andy discloses,

system for remote control of apparatuses according to claim 1, wherein at least some of said specific - API functions are organised so as to be capable of providing at least two operations and/or acting on at least two distinct aspects, according to a predefined

parameterization (it also has a built-in data dictionary that stores templates for enterprise message formats, so it can perform transformations from one message format to another. Establish Open Database Connectivity – ODBC connections to Structured Query Language – SQL databases to retrieve data, which can be used to enrich the content of the message, or to insert or update rows in a database - page 8, lines 4 – 8, page 8, lines 28 - 30).

Petite teaches in detail, method for monitoring and controlling remote devices. The computer evaluates the retrieved information and identifies an appropriate control signal, and applying the control signal at a designated actuator. A computerized system for monitoring, reporting on, and controlling remote systems by transferring information signals through a wide area network. The site controller 150 may be configured such that the memory 406 includes a look-up table 414 configured for identifying the various remote and intermediate communication devices used in generating and transmitting received data transmission (ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11 - 15).

It would have been obvious to one of ordinary skill in the art, at the time of invention, to modify monitoring and telemetry devices as part of enterprise information resources (Andy, page 2, lines 8 – 10, page 4, lines 9 – 21, page 9, line 8), would have incorporated monitoring and controlling remote devices of Petite (Petete, ABSTRACT, Figs. 1 – 11, column 1, lines 31 – 36, column 2, line 28 through column 3, line 30, column 11, lines 11

- 15), for a system configured to collect, format, and control client application specific processes (Petite, column 1, lines 48 - 55).

**Regarding claim 10,** Andy discloses,

system for remote control of apparatuses according to claim I, wherein said set of API functions includes only 12 functions (the flow meter may send compressed data that's intelligible only to specific applications - page 6, lines 1 - 14, page 8, lines 13 - 32, page 9, lines 4 - 14, page 10, lines 7 - 19).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Amiens teaches, remote controlling equipment with the aid of AT commands, and corresponding device, radiocommunication module, and set of commands, according to the MQIsdp protocol (ABSTRACT).  
US PGPub: US 2007/0213042 A1 Sep. 13, 2007.
2. Stanford-Clark teaches, message routing in a computer system, and Supervisory Control And Data Acquisition SCADA system which is used for telemetry, messages are sent using MQIsdp in which messages have the form of a header, topic and payload (ABSTRACT, paragraph 0037).  
US PGPub: US 2002/0199121 A1 Dec. 26, 2002.
3. Chang teaches, system and method of monitoring and controlling operation and performance of a remote device or system implement a wireless interface and standardized wireless communication protocols in monitor and control applications (ABSTRACT, Figs. 1 - 5).  
US PGPub: 2003/0129944 A1 Jul. 10, 2003.
4. Fernandes teaches, plurality of Supervisory Control And Data Acquisition SCADA signals, Remote Terminal Unit RTU signals, and/or instrumentation control signals having different protocols.  
US Patent: 5,490,134 Feb. 6, 1996.

**Contact Information**

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael, Perez-Gutierrez, can be reached at (571) 272-7915.

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